

REMARKS

Claim 6 is amended by inserting the word "the" after "wherein" in line 2 to correct a minor informality. Claim 19 is amended to correct a minor grammatical error. Claim 21 is added as a new claim. Support for the Amendment is found, for example, on page 54 of the specification. No new matter is added. Accordingly, upon entry of the Amendment claims 1-21 will be all of the claims pending in the application.

I. Response to Claim Objection

Claim 6 is objected because of an informality in line 2, where the word "the" should be inserted after the word "wherein".

Claim 6 is amended by inserting the word "the" after the word "wherein" in line 2 of the claims, thereby obviating the objection. Accordingly, Applicants respectfully request withdrawal of the objection.

II. Response to Claim Rejections – 35 U.S.C. § 103

Claims 1-7 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Makoto (JP '834) in view of Otaki (JP '978).

Claims 8-20 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Makoto in view of Otaki and further in view of Jimbo (US 5,998,082).

Initially, it is submitted that one of ordinary skill in the art would not have been motivated to combine the references because Makoto already provides a thermal recording ingredient which is stabilized.

Further, Applicants claim priority to the following Japanese Patent Applications, each one of which was filed in Japan prior to the effective date of the Makoto reference:

JP 2002-244816, filed August 26, 2002;

JP 2002-246952, filed August 27, 2002; and

JP 2002-248295, filed August 28, 2002.

Sworn English translations of the above-identified priority documents will be submitted upon receipt to perfect Applicants' claim to priority, thereby removing Makoto as a reference and obviating the rejections.

New claim 21 depends from claim 1, directly or indirectly, and is patentable for at least the same reason.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103.

III. Conclusion

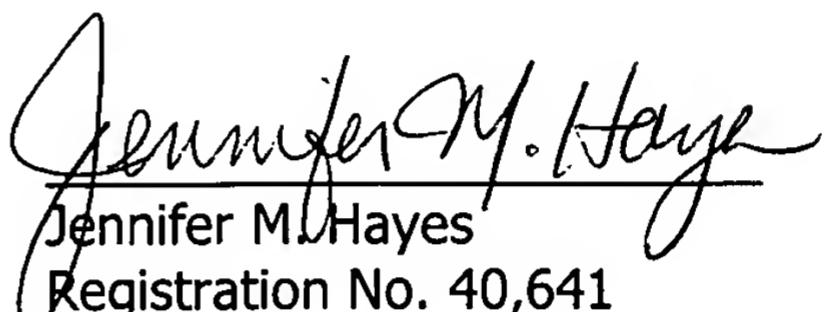
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111
U.S. App. Ser. No. 10/646,747

Atty. Dckt. No. Q76400

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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23373
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Date: February 1, 2006

MOBILE COMMUNICATION SYSTEM, BASE STATION AND COMMUNICATION CONTROL METHOD

Patent number: JP2002246952
Publication date: 2002-08-30
Inventor: NAKADA TAKU
Applicant: NIPPON ELECTRIC CO
Classification:
 - **international:** H04B1/707; H04B1/707; (IPC1-7): H04B1/707;
 H04B7/10; H04B7/26; H04L12/28
 - **european:** H04B1/707A7; H04B1/707F3
Application number: JP20010037525 20010214
Priority number(s): JP20010037525 20010214

Also published as:

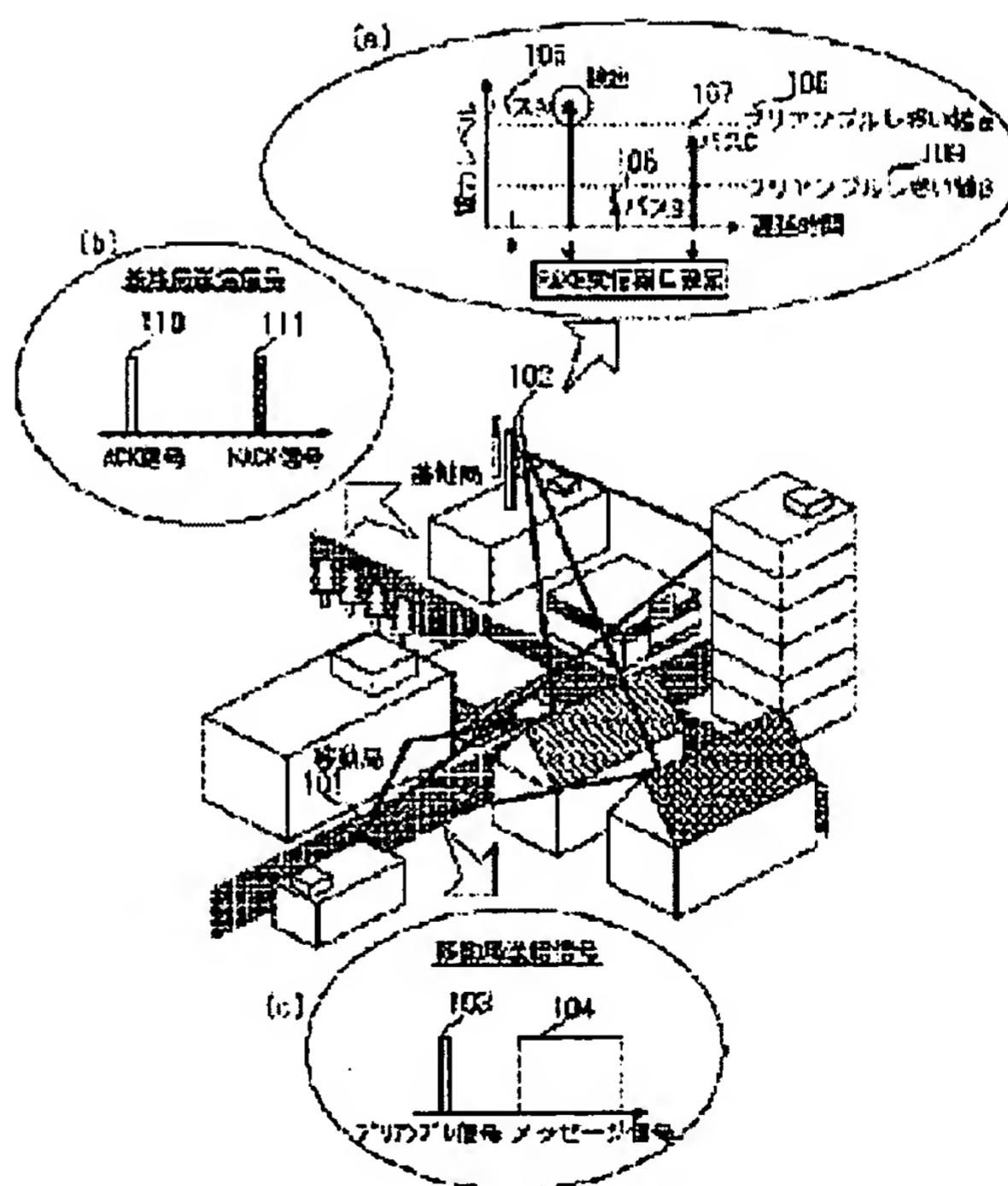
- EP1363406 (A1)
- WO02065659 (A1)
- US2004077357 (A1)
- CN1504019 (A)
- CA2438364 (A1)

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Abstract of JP2002246952

PROBLEM TO BE SOLVED: To provide a method and a system, which can ensure high gain and realize high quality signal receiving in a RAKE receiver by increasing the number of paths to be detected in preamble detecting process.

SOLUTION: This method includes processes where a mobile station transmits a preamble signal for obtaining a transmission approval of a message signal; a base station performs path detecting process by using a preamble threshold to paths of the preamble signal and decides that the preamble signal is detected, when a path having a power level exceeding one preamble threshold exists; when receiving of a message signal is possible, the approval signal of message signal transmission is transmitted to the mobile station, subsequent to the transmission, to the path of the preamble signal received in advance, the path detecting process is conducted by applying the other preamble threshold; information of a path exceeding the preamble threshold is set in the RAKE receiver; and a message signal transmitted from a mobile station is received.



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